

State Water Resources Control Board

September 25, 2018

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7017 2680 0000 6195 9043

Mr. Mark Naddy
Chief Engineer
City and County of San Francisco
401 Van Ness Avenue, Room 110
San Francisco, California 94102
mark.naddy@sfgov.org

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEM
LOCATED AT LOUISE DAVIES SYMPHONY & ZELLERBACH REHEARSAL
HALLS, 201 VAN NESS AVENUE, SAN FRANCISCO**

Dear Mr. Naddy:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the UST at your facility on September 13, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Financial Responsibility – The Certificate of Financial Responsibility is not current and missing information.	Diesel	September 13, 2018	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)
2	Failure to Maintain Tank Information – In CERS, under tank construction, overfill prevention lists a fill tube shut-off valve; however, a fill tube shut-off valve was not present at the time of inspection.	Diesel	September 13, 2018	Ongoing	23 CCR 2711(a)
3	Failure to Install Secondary Containment – The tank fill tube riser piping does not have secondary containment. Because the tank is not equipt with a fill tube shut-off valve (Flapper valve), the fill tube riser does not meet the exemption for piping and requires secondary containment.	Diesel	September 13, 2018	Ongoing	23 CCR 2636(a)(1)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Provide Designated Operator (DO) Training – DO employee training was due by August 31, 2018. The last training performed was on August 30, 2017.	Diesel	September 1, 2018	Ongoing	23 CCR 2715(f)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and San Francisco City & County Public Health Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance. On October 1, 2018, new State regulations will require an automatic line leak detector on all underground pressurized piping connected to an emergency generator system. In lieu of restricting or shutting off the flow of product, the line leak detector may activate an audible and visual alarm. The USTs at your facility currently do not have line leak detectors for the underground pressurized piping. Please work with San Francisco City & County Public Health Department to ensure your facility is in compliance with the new regulatory requirements.

Please send all compliance documentation to the following:

State Water Board

Mr. Joseph Lovesee
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
joseph.lovesee@waterboards.ca.gov

Local CUPA

Mr. Jin Tang
Senior Environmental Health Inspector
San Francisco City & County Public
Health Department
1390 Market Street, Suite 210
San Francisco, California 94102
jin.tang@sfdph.org

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Paula Stewart
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San Francisco City & County
Public Health Department
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